

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

September 15, 2003
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Nancy Houlahan, Rick Fagerlie, Jim Dokken, and David Chapin; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

Proposed additions to the agenda included the Biofilter Project and announcements regarding a musical performance and mentoring program.

The Municipal Utilities Commission and Rice Hospital Board Minutes were removed from the Consent Agenda.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of September 2, Planning Commission Minutes of September 10, Building Inspection Report for August, Pioneerland Library Board Minutes of July 17, Housing and Redevelopment Authority Minutes of August 12, Cable Advisory Committee Minutes of September 4, and Airport Commission Minutes of September 9, 2003. Council Member Christianson seconded the motion, which carried.

The Council discussed the item relating to the Energy Services Report in the Municipal Utilities Commission Report. The Municipal Utilities Commission Report of September 8, 2003, were approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlieck, seconded by Council Member Christianson, and carried.

The Council discussed the item relating to the Hospital CEO compensation in the Rice Hospital Board Report. Council Member Dokken moved to table the matter, which died for the lack of a second. Verna Kelly, Chair of the Rice Hospital Human Resource Committee, appeared before the Mayor and Council to voice support for the market salary proposal in the Minutes. Dale Hustedt explained the compensation report of Clark Consulting of Minneapolis regarding executive salary compensation issues and answered various questions from the Council. The Rice Hospital Board Minutes of September 10, 2003, were approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Reese, and carried.

At 7:28 p.m. Mayor Heitke opened a hearing on an Ordinance Amending Municipal Ordinance No. 1060, Willmar Zoning Ordinance. Planning and Development Services Director Peterson informed the Mayor and Council that the Planning Commission has considered and approved an amendment to the Zoning Ordinance allowing "lumber yards (including miscellaneous building materials)" as a Permitted Use with Plan Review in the I-2 General Industry District. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the meeting at 7:29 p.m.

Council Member Reese offered a motion to adopt, assign a number and order final publication of the Ordinance Amending Municipal Ordinance No. 1060, Willmar Zoning Ordinance. Council Member DeBlieck seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Charly Leuze, Cultural Liaison/Diversity, presented to the Mayor and Council an overview of the West Central Integration Collaborative (WCIC), a multicultural, multidisciplinary collaborative integrating the Atwater, Cosmos, Grove City; New London-Spicer; and Willmar school districts, and the relationship of the Collaborative to the new City Cultural Diversity program/position. Ms. Leuze shared that at the end of the 2002-2003 school year the student population of 4,200 had 1,188 minorities enrolled or a 28 percent minority population. Ms. Lueze provided details of a Minnesota Department of Health grant for "eliminating Health Disparities Initiative" and the Collaborative effort in the City's Vision 2020 four priority areas: Cultural Competency, Recreation and Culture, Economic Sustainability, and Lifelong Learning. This matter was for information only.

Mayor Heitke recognized Sherry Ristau with the Southwest Minnesota Foundation (SWMF) who presented to the Mayor and Council the SWMF mission of a catalyst, facilitating opportunities for economic, social, and cultural growth by promoting philanthropy, leadership, innovation, and collaboration for southwest Minnesota. Ms. Ristau presented a Foundation overview, including fiscal assets, priorities, and regional impact. Mayor Heitke thanked Ms. Ristau for the Foundation's efforts in Kandiyohi County and the Southwest Region.

Mr. Fred Cogelow appeared before the Mayor and City Council during its scheduled Open Forum to encourage auctioning the Red Star Building recently bought by Rice Hospital and scheduled for demolition.

The Finance Committee Report for September 8, 2003, was presented to the Mayor and Council by Council Member Anderson. There were seven items for Council consideration.

Item No. 1 Mayor Heitke presented to the Committee his proposed Year 2004 Budget. Following introductory remarks, the Mayor detailed proposed revenues and expenditures including a discussion of the capital outlay program and a review of non-departmental appropriations.

Following discussion, the Committee was recommending the Council introduce a resolution setting the preliminary tax levy at \$2,191,251.

Resolution No. 1 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

BE IT RESOLVED by the City Council of the City of Willmar, Kandiyohi County, Minnesota, that \$2,191,251 be set as the preliminary levy for the current year collectable in 2004, upon the taxable property in said City of Willmar;

BE IT RESOLVED, that there is a sufficient sum of money in the Debt Service Funds of the City to pay principal and interest in 2004 on all outstanding bond issues, and the deferred annual tax levies previously certified to the County Auditor are hereby canceled;

FURTHER, pursuant to a request by the Housing and Redevelopment Authority in and for the City of Willmar, for authorization to levy a special tax to be included as part of its fiscal year 2003 - 2004 Budget;

BE IT RESOLVED that the City Council of the City of Willmar, Minnesota, hereby authorizes the Housing and Redevelopment Authority to levy a special tax in the amount of \$94,702 pursuant to the powers vested under the Minnesota Statutes.

The City Clerk is hereby instructed to transmit a certified copy of this Resolution to the County Auditor of Kandiyohi County, Minnesota.

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Committee further recommended to the Council to schedule the Truth-n-Taxation hearings for the City of Willmar for December 1 and December 15, 2003, if needed. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council member Dokken seconding the motion, which carried.

It was noted that the Finance Committee would be reviewing the Mayor's proposed budget between now and the scheduled Committee meeting on November 24, 2003, at which time the full Council will participate in a discussion of final budget considerations.

Item No. 2 The Committee reviewed a draft Ordinance that would grant CenterPoint Energy Minnegasco a franchise with a 3 percent fee on gross revenues to operate in the City of Willmar. It was noted other communities have such franchise agreements and this was another avenue of funding included in the Mayor's 2004 proposed budget.

Following discussion, the Committee was recommending the Council introduce an Ordinance Granting a Franchise to CenterPoint Energy Minnegasco and Establishing Terms and Conditions. Council Member Anderson offered a motion to introduce an Ordinance Granting a Franchise to CenterPoint Energy Minnegasco and Establishing Terms and Conditions and call for a public hearing on October 6, 2003. Council Member Fagerlie seconded the motion, which carried.

Item No. 3 The Committee discussed information provided by staff explaining the election process time line, mail-in ballot, and estimated costs. Also discussed were a number of different projects and uses for any possible revenues that a Local Option Sales Tax would generate. Projects discussed were as follows: Willmar Regional Treatment Center, Infrastructure extensions to develop the old Airport property, repayment of the Rice Hospital Debt in conjunction with building a parking ramp in the Downtown, possible relocation of the Fairgrounds, and the completion of the Blue Line Center.

The Committee was recommending to the Council that staff be directed to compile a report with estimated costs for the projects discussed and bring back to the Committee for review no later than October 10, 2003. Council Member Anderson moved to approve the recommendation of the Finance Committee with Council Member Fagerlie seconding the motion, which carried.

Item No. 4 The Committee considered an agreement to continue an intergovernmental transfer between the Willmar Municipal Utilities and the City General Government. The agreement would extend the present agreement for an additional three-year period at the same conditions as

are presently in place.

The Committee was recommending the Council introduce a Resolution authorizing the Mayor and City Administrator to enter into an agreement with the Willmar Municipal Utilities extending the terms and conditions for an intergovernmental transfer agreement. Resolution No. 2 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 2

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into an Agreement for Payment of Intergovernmental Transfer with the Municipal Utilities Commission.

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 5 Staff reported to the Committee that discussions have taken place between the Municipal Utilities Commission and City Administration concerning the shortage of revenue for the Swimming Pool Project. The Commission has offered to participate in the project up to a matching amount of the City contribution of \$285,000.

The Committee was recommending the Council introduce a resolution amending the Swimming Pool Budget as presented. Resolution No. 3 was introduced by Council Member Anderson, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 1 – Council Member Dokken voted “No.”

RESOLUTION NO. 3

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Swimming Pool Capital Project Fund.

Increase: Estimated Revenues – Intergovernmental Transfer \$285,000

Increase: Appropriations – Other Improvements \$285,000

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 6 The Committee reviewed information from the Safe and Sober Grant that would reimburse the City for Police Department overtime costs. The Committee was recommending the Council introduce a resolution amending the Police Department Budget as

presented.

Resolution No. 4 was introduced by Council Member Anderson, seconded by Council Member Dokken, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 4

BE IT RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Police Department budget within the General Fund.

Increase: Estimated Revenues – Grant Revenue \$3,223.00

Increase: Appropriations – Police Overtime \$3,223.00

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 The Committee reviewed the following Reports: July 31, 2003, Investments, C.V.B, and W.R.A.C. 8. This matter was for information only.

The Finance Committee Report for September 8, 2003, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Fagerlie, and carried.

The Public Works/Safety Committee Report for September 9, 2003, were presented to the Mayor and Council by Council Member Reese. There were seven items for Council consideration.

Item No. 1 Members of the Kandiyohi County Humane Society were present to discuss the future of the organization with the Committee. Since the moving of the Willmar Pet Hospital last year, the group was able to rent the old facility until its recent sale. The group is researching both long-term and temporary facilities, and looking into local buildings for rent to temporarily house the shelter.

Chief Kulset informed the Committee that the Willmar Police Department answered 942 animal complaints in 2002, which is 7 percent of their total calls. The Humane Society's compensation was \$13,600 for 277 dogs and 189 cats. The City has three options for animal control: stop impoundment of animals, submit RFP's to local veterinarians, or the possibility of a joint venture between the County, City, and Humane Society to construct an animal shelter. In a preliminary meeting with the County, they have expressed an interest in furthering the discussion.

After a lengthy discussion, staff was directed to meet with the County and Humane Society staff to negotiate different scenarios to be brought back to Committee. This matter was for information only.

Item No. 2 Ranae Rahn of Main Street Willmar appeared before the Committee to request the City's support for the Fall Festival in the downtown on September 20, 2003. The request includes the temporary closure of 5th Street from Trott to Litchfield Avenues and Becker Avenue from 4th to 6th Streets. In addition, the closure of the parking lot next to and behind the

Masonic Temple building to house the artists' tents by noon Friday. Staff approved the request with no safety concerns.

The Committee was recommending to the Council approval of the temporary street and parking lot closure for the Fall Festival as presented. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Christianson seconding the motion, which carried.

Item No. 3 The Committee considered a request by several Ridgewater College students, which identified safety concerns within the City for a class project. The major concern was the safety of pedestrians using the walk paths on First Street North in front of the fairgrounds, the fishing area, and the entrance to the college road (15th Avenue NW). Suggested improvements in the path signage were reviewed. The committee directed staff to make any changes they felt necessary. This matter was for information only.

Item No. 4 The Committee reviewed bid results for improving the final three RBC's at the Wastewater Treatment Plant. Five bids were received, and the low bid was 17 percent below the engineer's estimate. Staff has reviewed the bids and recommends acceptance of the low bid and revising the budget accordingly.

The Committee was recommending to the Council to accept the low bid of PKG Contracting, authorize the Mayor and City Administrator to enter into a contract on behalf of the City, and adjust the project budget accordingly. Resolution No. 5 was introduced by Council Member Reese, seconded by Council Member DeBleck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of PKG Contracting of Fargo, North Dakota for the Wastewater RBC Improvements is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$833,769.00.

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 6 was introduced by Council Member Reese, seconded by Council Member DeBleck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 6

PRELIMINARY BUDGET
WTP UPGRADES – RBC REPLACEMENT
ESTIMATED TOTAL COST \$1,376,494

PERSONNEL SERVICES:

Overtime Reg. Employees	\$5,000.00
Salaries Temp. Employees	<u>1,000.00</u>
Total:	\$6,000.00

RECEIVABLES:

Other (Rev Bond)	<u>\$1,376,494.00</u>
Total:	\$1,376,494.00

SUPPLIES:

Office Supplies	\$ 500.00
Small Tools	1,000.00
Motor Fuels & Lubricants	500.00
Postage	500.00
Mtce. of Equipment	15,000.00
Mtce. of Other Improve.	12,000.00
General Supplies	<u>2,000.00</u>
Total:	\$31,500.00

FINANCING:

Bonds (Revenue)	<u>\$1,376,494.00</u>
Total:	\$1,376,494.00

OTHER SERVICES:

Printing & Publishing	\$ 300.00
Mtce. of Other Improve.	1,131,769.00
Other Services	<u>100,000.00</u>
Total	\$1,233,769.00

OTHER CHARGES:

Professional Services (Bonestroo)	\$ 37,725.00
Advertising	500.00
Adm. OH 8	63,000.00
Other Charges	<u>10,000.00</u>
Total:	\$ 105,225.00

GRAND TOTAL:	\$1,376,494.00
--------------	----------------

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 5 The Committee reviewed bids received for the pool parking lot. The low bid was recommended by staff for acceptance contingent upon the award of the pool construction being rebid in October. The Committee was recommending the Council approve the agreement contingent upon award of the pool contract and authorize the Mayor and City Administrator to sign on behalf of the City.

Resolution No. 7 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 7

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the

State of Minnesota, that the bid of Duininck Bros. Inc. of Prinsburg, Minnesota for the Pool Parking Lot is accepted contingent upon the award of the pool construction, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$174,543.45.

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 6 The Committee reviewed bids for the second phase of the Airport Runway Grading and Drainage Improvements. Of the six bidders, the low base bid was 18.5 percent lower than the engineer's estimate. The city also included an alternate bid for \$222,242.00, which may be utilized to maximize the Federal Grant if needed.

The Committee was recommending the Council accept the base bid of Duininck Bros. with the addition of the alternate bid contingent upon the grant monies available, and authorize the Mayor and City administrator to enter into a contract on behalf of the City. Resolution No. 8 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 8

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Duininck Bros. Inc. of Prinsburg, Minnesota for the Airport Grading and Drainage Project Phase II is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$3,241,739.10.

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 7 The Committee reviewed a proposed developer's agreement with RRR Properties for the installation of gravel, curb and gutter, bituminous, tile, and street lighting on 16th Avenue NE and 2nd Street NE. This development received sewer and water main improvements earlier this year and due to the sale of a majority of the lots, the developer has requested the final improvements be initiated. Staff has prepared a developer's cash agreement which terms include the developer prepaying 50 percent with the remaining 50 percent within five days after completion. Staff brought this agreement before the Committee because it was initiated after the improvement deadline and therefore the improvement report and budget would need to be amended.

The Committee was recommending the Council approve the agreement and amend the

Improvement Report and 2003 Improvements Budget accordingly. Resolution No.9 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 9

Whereas RRR Properties (Developer) has made a request of the City of Willmar for the installation of certain public improvements; and

Whereas an agreement has been prepared to install the improvements subject to certain conditions and requirements.

Now therefore be it resolved by the City Council of the City of Willmar that said agreement be approved and that the Mayor and City Administrator be authorized to execute the same.

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Resolution No. 10 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 10

2003 IMPROVEMENTS BUDGET ESTIMATED TOTAL COST \$2,982,108.00

PERSONNEL SERVICES:		RECEIVABLES:	
Overtime Reg. Employees	\$ 500.00	Property Owners	\$ 600,000.00
Salaries Temp. Employees	6,000.00	City-MUC (pump station)	343,953.00
Employer Pension Contr.	<u>1,500.00</u>	TB Account	140,000.00
Total:	\$8,000.00	State Aid	998,814.00
		City-WTP (\$370,000 lift sta.)	385,000.00
SUPPLIES:		City-Transfer 2002 (PW)	34,638.00
Office Supplies	\$ 1,500.00	Developer Agreement (Cash)	429,099.00
Small Tools	2,000.00	City-MUC (Water Main-Street)	25,604.00
Motor Fuels & Lubricants	1,000.00	City (2003 PW Parks)	<u>25,000.00</u>
Postage	2,000.00	Total:	\$2,982,108.00
Mtce. of Other Improve.	12,000.00		
General Supplies	<u>3,500.00</u>	FINANCING:	
Total:	\$22,000.00	Bonds	\$ 600,000.00
		State	1,138,824.00
OTHER SERVICES:		City	444,638.00
Printing & Publishing	\$ 2,000.00	MUC	<u>369,557.00</u>
Mtce. of Other Improve.	1,853,445.00	Total:	\$2,982,118.00

Other Services	<u>784,163.00</u>
Total	\$2,639,608.00

OTHER CHARGES:

Licenses & Taxes	\$ 1,500.00
Professional Services (BMI, SEH, MnDOT)	65,000.00
Advertising	1,000.00
Adm. OH	200,000.00
Other Charges	<u>45,000.00</u>
Total:	\$ 312,500.00
GRAND TOTAL:	\$2,982,108.00

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

The Public Works/Safety Committee Report of September 9, 2003, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

The Community Development Committee Report for September 11, 2003, was presented to the Mayor and City Council by Council Member DeBlieck. There were six items for Council consideration.

Item No. 1 The Committee discussed the revised specifications and schedule for re-bidding the Aquatic Center Project. Changes were made to the number and type of alternates included in the bid package. Bids are scheduled to be opened on Monday, October 6, 2003. This matter was for information only.

Item No. 2 The Committee reviewed information regarding the JOBZ concept being advanced by the Department of Employment and Economic Development. Because Willmar does not meet the distress criteria to qualify on its own, the City is applying to be a sub-zone of the larger Mid-Minnesota and Southwest Minnesota Regional Development Commission's joint application. These zones are tax-free zones and the implications of tax-free development on the community were discussed. The geographic area proposed for the Willmar sub-zone is a portion of the current airport.

It was noted that the statutory life of a zone is 12 years, and local units of government are authorized to develop quality criteria for their zone. The Committee was recommending to the Council to adopt the resolution authorizing the JOBZ tax exemption.

Resolution No. 11 was introduced by Council Member DeBlieck, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 11

SUB-ZONE RESOLUTION OF APPROVAL

TO AUTHORIZE TAX EXEMPTIONS

WHEREAS job creation, business development, and individual wealth growth in Willmar, Minnesota have been less than the national and state averages; and

WHEREAS the resulting effects of such lagging job creation, business development, and individual wealth growth have harmed and are forecasted to continue to harm the economy of Willmar; and

WHEREAS the Job Opportunity Building Zone (JOBZ) Program created in Minnesota Session Laws 2003, First Special Session, Chapter 21, Article 1 allows for the formation of tax free zones;

WHEREAS, an application for tax free zone designation in Willmar is being prepared for submission to the Minnesota Department of Employment and Economic Development via the Southwest Minnesota Regional Development Commission; therefore

BE IT RESOLVED that the City Council of the City of Willmar, at its meeting held on the 15th day of September, 2003, upon careful consideration and review, approves the specific areas designated in the application for tax free zones, approves of the use of tax exemptions and tax credits within the designated zones (subject to proper review and approval by the other appropriate taxing authorities within the zones), and encourages the Minnesota Department of Employment and Economic Development to approve the Tax Free Zone Application being submitted by the Southwest Minnesota Regional Development Commission.

BE IT FURTHER RESOLVED that the City of Willmar agrees to provide all of the local tax exemptions and credits required and provided for under the Job Opportunity Building Zones (JOBZ) Legislation and agrees to forego the tax benefits resulting from the local and state tax exemptions and credits provided under the Job Opportunity Building Zones (JOBZ) Legislation.

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 3 As a follow up to a question at their previous meeting, it was explained that the maximum stack height for the Waste to Energy Pproject by Barlow Projects, Inc. would be 67.5 feet. This matter was for information only.

Item No. 4 Staff presented updates on a variety of development projects within the community. It was noted that Angie Timm had resigned her position, thereby leaving an open clerical position in the Department.

Item No. 5 The Committee reviewed the Scope of Services for Phases 5B and 6A of the Airport Project. Phase 5B includes the preparation of plans and specifications for the proposed terminal and FBO buildings. The agreement has a not-to-exceed amount of \$179,000. Phase 6A involves construction administration and observation services for the final grading and drainage

project. This agreement has a not-to-exceed amount of \$401,200. The Committee requested that the building plans come back to the Committee and full Council prior to final plan approval.

The Committee was recommending the Council adopt the resolution approving the Phase 5B and Phase 6A agreements.

Resolution No. 12 was introduced by Council Member DeBlieck, seconded by Council Member Fagerlie, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 12

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into a contract amendment to supplement the agreement between the City of Willmar and HNTB Corporation. The supplement includes the addition of Phase 5b for the detail design of airport buildings.

BE IT FURTHER RESOLVED, the original contract amount of \$235,722.00, including the other amendments, is hereby amended by \$179,000.00 for the total not-to-exceed figure of \$1,535,202.00.

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Resolution No. 13 was introduced by Council Member DeBlieck, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 13

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into a contract amendment to supplement the agreement between the City of Willmar and HNTB Corporation. The supplement includes the addition of Phase 6a for construction administration and observation for the \$2,995,775.00 grading and drainage portion of the airport project.

BE IT FURTHER RESOLVED, the original contract amount of \$235,722.00, including the other amendments, is hereby amended by \$401,200.00 for the total not-to-exceed figure of \$1,356,202.00.

Dated this 15th day of September, 2003.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 6 The Committee briefly discussed the extension of transportation infrastructure to the area south of 19th Avenue and east of First Street, as well as for the Mills property west of South 71. It was requested that the City Engineer attend the next meeting to discuss this matter in greater detail. This matter was for information only.

The Community Development Committee Report of September 11, 2003, was approved as presented and ordered placed on file in the City Clerk's Office.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration rezoning of property at the intersection of Trott Avenue and Minnesota Highway 40 from I-2 – General Industrial to GB – General Business. The property is the proposed location of a chiropractic clinic and has been used as a veterinary clinic/animal shelter. It was noted the Planning Commission has approved the rezoning. Council Member Christianson moved to introduce an Ordinance Amending Ordinance No. 1060 to Rezone Certain Property. Council Member Dokken seconded the motion, which carried.

Planning and Development Services Director Peterson presented to the Mayor and Council for consideration a final plat for County Inn Addition, a one-lot plat being developed for the Country Inn and Suites. The Planning Commission has approved the Plat. Council Member Reese moved to approve the final plat for Country Inn Addition with Council Member DeBlieck seconding the motion, which carried.

Public Works Director Odens informed the Mayor and Council that the Wastewater Treatment Plant biofilter project was completed in mid-September and was put online this week. Mr. Odens noted that it will be at least two weeks before the biofilter will mitigate odors.

Mayor Heitke announced that the Willmar Downtown Fall Festival, Celebrate Art, Celebrate Coffee, will be held Saturday, September 20, 2003.

Mayor Heitke presented to the Council for consideration the appointment of Gary Rubbelke and David Mohs to the Willmar Convention and Visitor Bureau. Council Member Reese moved to approve the appointments as presented. Council Member DeBlieck seconded the motion, which carried.

Announcements for Council Committee meeting dates were as follows: Finance, September 22 and 29; Community Development, September 25; and Public Works/Safety, September 30, 2003.

There being no further business to come before the Council, the meeting adjourned at 9:30 p.m. upon motion by Council Member Reese, seconded by Council Member Dokken, and carried.

Attest:

MAYOR

SECRETARY TO THE COUNCIL